



State of New Jersey
DEPARTMENT OF THE PUBLIC ADVOCATE
DIVISION OF RATE COUNSEL
31 CLINTON STREET, 11TH FL
P. O. BOX 46005
NEWARK, NEW JERSEY 07101

JON S. CORZINE
Governor

RONALD K. CHEN
Public Advocate
STEFANIE A. BRAND
Director

October 26, 2007

ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, ROOM TWB-204
Washington, DC 20554

EX PARTE

Re: *Petition of Verizon Telephone Companies For Forbearance Under 47 U.S.C. § 160(c) From Title II and Computer Inquiry Rules With Respect To Their Broadband Services*,
WC Docket No. 04-440.

Re: *Sprint Nextel Corp v. FCC*, (No. 06-1111)

Dear Ms. Dortch:

The New Jersey Public Advocate's Division of Rate Counsel ("Rate Counsel") hereby files this *Ex Parte* in reference to the above matter.

Rate Counsel submits that the Federal Communication Commission must afford an opportunity for notice and comment on what relief is appropriate as it relates to Verizon's deemed grant, the *AT&T Order*, and the other "*Me Too*" Petitions pending before the

Commission.¹ The subject proceedings are adjudications and the Administrative Procedure Act requires an opportunity for notice and comment for all interested parties.

In addition, Rate Counsel asks that the Commission address the arguments raised by Rate Counsel in its comments filed by Rate Counsel in WC Docket No. 06-125 related to Qwest's refiled "*Me Too*" Petition. These additional issues relate directly to whether any relief or some other form relief is in the public interest. Rate Counsel's *ex parte* comments on Qwest's refiled petition are attached hereto.

Respectfully submitted,

RONALD K. CHEN, ESQ.
NEW JERSEY PUBLIC ADVOCATE

STEFANIE A. BRAND, ESQ.
DIRECTOR
DIVISION OF RATE COUNSEL

By: Christopher J. White
Christopher J. White, Esq.
Deputy Public Advocate
Division of Rate Counsel

Dated: October 23, 2007

Filed Via Electronic Mail

¹ / *Petition of AT&T Inc., for Forbearance Under 47 U.S.C. § 160 (c) from Title II and Computer Inquiry Rules with respect to Its Broadband Services*, Memorandum Opinion and Order, FCC 07-180 (released Oct. 12, 2007) (*AT&T Order*); the "Me Too" Petitions seeking relief from Title II and Computer Inquiry Rules under WC Docket Numbers 06-125 and 06-147, including *In the Matter of Qwest Petition for Forbearance Under 47 U.S.C. §160(c) From Title II And Computer Inquiry Rules with Respect to Broadband Services*.